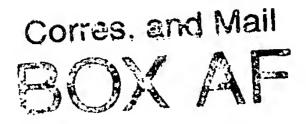
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Docket No. AMENDMENT TRANSMITTAL LETTER SPINE 3.0-446 CIP III CONT Application No. **Filing Date** Examiner Art Unit August 25, 2003 10/648,464 J. G. Blanco 3738 Applicant(s): James D. Ralph, Stephen Tatar, and Joseph P. Errico INTERVERTEBRAL SPACER DEVICE HAVING A SLOTTED PARTIAL CIRCULAR DOMED Invention: **ARCH STRIP SPRING** TO THE COMMISSIONER FOR PATENTS Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. **CLAIMS AS AMENDED** Claims **Highest** Remaining Number Number **Extra Claims** After Previously Paid **Present** Rate Amendment **Total Claims** 14 - 20 X Independent 2 3 = X Claims Multiple Dependent Claims (check if applicable) Other fee (please specify): TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 0.00 **Small Entity** x Large Entity x | No additional fee is required for this amendment. Please charge Deposit Account No. in the amount of \$ A duplicate copy of this sheet is enclosed. A check in the amount of \$ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. 12-1095 × The Director is hereby authorized to charge and credit Deposit Account No. as described below. A duplicate copy of this sheet is enclosed. x | Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. June 10, 2005 Dated: Michael J. Doherty Attorney Reg. No.: 40,592 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6337 I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. (Michael J. Doherty) Dated: June 10, 2005 Signature:

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 10, 2005

Signature: Muhael Market



: Examiner: J. G. Blanco

EXPEDITED PROCEDURE

Docket No.: SPINE 3.0-446 CIP III CONT

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Ralph et al.

Application No. 10/648,464 : Group Art Unit: 3738

Filed: August 25, 2003

:

For: INTERVERTEBRAL SPACER DEVICE

HAVING A SLOTTED PARTIAL
CIRCULAR DOMED ARCH STRIP SPRING

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## PRELIMINARY AMENDMENT

Dear Sir:

Preliminary to initiation of the prosecution of the above-identified pending U.S. patent application, the following amendments and remarks are respectfully submitted.

JUN 1 3 2005 OF